

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ANDERSON KILL & OLICK, P.C.,

Plaintiff,

V.

1:08-cv-4565 (AKH) (RLE)

BRAY & GILLESPIE, INC., BRAY & GILLESPIE  
MANAGEMENT, LLC, CHARLES A. BRAY, and  
JOSEPH GILLESPIE,

Defendants.

**Electronically Filed**

**PEPPER HAMILTON LLP'S NOTICE OF MOTION  
TO WITHDRAW AS COUNSEL OF RECORD  
FOR DEFENDANTS**

**PLEASE TAKE NOTICE** that Pepper Hamilton LLP, counsel of record for defendants Bray & Gillespie, Inc., Bray & Gillespie Management, LLC, Charles A. Bray, and Joseph Gillespie, will move this Court before the Honorable Alvin K. Hellerstein, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY, 10007, at 9:30 a.m. on September 10, 2008 or at such other time and date as may be designated by the Court, for an Order granting its Motion to Withdraw as Counsel of Record for Defendants.

**PLEASE TAKE FURTHER NOTICE** that in support of its motion, Pepper Hamilton LLP shall rely upon this Notice of Motion, the accompanying Memorandum of Law in Support of Pepper Hamilton LLP's Motion to Withdraw as Counsel of Record for Defendants, and the annexed Declaration of M. Duncan Grant.

Dated: August 19, 2008  
New York, New York

OF COUNSEL:

M. Duncan Grant (*admitted pro hac vice*)  
Andrea Toy Ohta (*admitted pro hac vice*)  
Alison Altman Gross (*admitted pro hac vice*)  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
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Philadelphia, PA 19103-2799  
(215) 981-4000

Respectfully submitted,

/s/ Kenneth J. King

Kenneth J. King (KK 3567)  
Suzanne M. D'Amico (SD 3581)  
PEPPER HAMILTON LLP  
The New York Times Building  
620 Eighth Avenue, 37th Floor  
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(212) 808-2700

*Attorneys for Defendants Bray &  
Gillespie, Inc.; Bray & Gillespie  
Management, LLC; Charles A.  
Bray; and Joseph Gillespie*

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**PEPPER HAMILTON LLP'S MOTION  
TO WITHDRAW AS COUNSEL OF RECORD  
FOR DEFENDANTS**

Pursuant to Local Civil Rule 1.4, New York Code of Professional Responsibility, Disciplinary Rule 2-110, Pennsylvania Rule of Professional Conduct 1.16, and Delaware Lawyers' Rule of Professional Conduct 1.16, Pepper Hamilton LLP, counsel of record for defendants Bray & Gillespie, Inc., Bray & Gillespie Management, LLC, Charles A. Bray, and Joseph Gillespie, respectfully moves for an order granting it leave to withdraw as counsel of

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record for Defendants, for the reasons set forth in the accompanying Memorandum of Law and Declaration of M. Duncan Grant.

Dated: August 19, 2008  
New York, New York

OF COUNSEL:

M. Duncan Grant (*admitted pro hac vice*)  
Andrea Toy Ohta (*admitted pro hac vice*)  
Alison Altman Gross (*admitted pro hac vice*)  
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*Attorneys for Defendants Bray &  
Gillespie, Inc.; Bray & Gillespie  
Management, LLC; Charles A.  
Bray; and Joseph Gillespie*

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2008, the foregoing Notice of Motion, Motion to Withdraw as Counsel of Record for Defendants, accompanying Memorandum of Law, and Declaration of M. Duncan Grant were electronically filed with the United States District Court, Southern District of New York and thus served via the electronic case filing ("ECF") system on the following ECF filing user:

Jeffrey E. Glen, Esq.  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020

*Attorney for Plaintiff Anderson Kill & Olick, P.C.*

Copies were also served on the following persons in the manner stated for each:

Bray & Gillespie, Inc.  
Bray & Gillespie Management, LLC  
Charles A. Bray  
Joseph Gillespie  
600 North Atlantic Avenue  
Daytona Beach, FL 32118  
(all via Federal Express)

W. Bruce Del Valle, Esq.  
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Stephen Nalley  
Senior Vice President of Operations  
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/s/ Suzanne M. D'Amico

Suzanne M. D'Amico (SD 3581)